IN THE CLAIMS

Please amend the claims as follows:

1. (original) An optical data storage medium for at least read out using a focused radiation beam with a wavelength λ and a Numerical Aperture (NA), entering through an entrance face of the medium during read out, comprising at least:

-a substrate with present on a side thereof:

-a first stack of layers named L0 comprising a first information layer,

-a radiation beam transparent cover layer adjacent the entrance face,

-a transmission stack named TS0 with a thickness d_{TS0} and containing all layers between L0 and the entrance face, characterized in that

the maximum deviation of d_{TS0} from respectively the average values of d_{TS0} of a predetermined area of the medium does not exceed a predetermined value $DEVd_{TS0}$, measured over the information area of the medium and $DEVd_{TS0}$ is set in dependency of λ and NA.

2. (original) An optical data storage medium according to claim 1, wherein $DEVd_{TS0} = \pm 3$ µm.

3. (original) An optical data storage medium according to claim 1, with at least

-one further stack of layers named Ln and n an integer $\geq$ 1, Ln comprising a further information layer and being present at a position closer to the entrance face than L0,

-a radiation beam transparent spacer layer between each of L0 to Ln, and

-a transmission stack named TSn with a thickness d_{TSn} and containing all layers between Ln and the entrance face, wherein the maximum deviation of d_{TSn} does not exceed a predetermined value $DEVd_{TSn}$, measured over the information area of the medium and $DEVd_{TSn}$ is set in dependency of λ and NA.

4. (original) An optical data storage medium according to claim 3, wherein $DEVd_{TSn} = \pm 3$ µm.

5. (original) An optical data storage medium according to claim 1, wherein $DEVd_{TS0} = \pm 2$ µm.

6. (original) An optical data storage medium according to claim 3, wherein only one further stack of layers named L1 is present, comprising a further information layer, $DEVd_{TS0} = \pm 2$ µm and $DEVd_{TS1} = \pm 2$ µm, λ is in the range 400 nm - 410 nm and NA is in the range 0.84 - 0.86.

7. (currently amended) Use of an optical data storage medium as claimed in ~~any one of the preceding claims~~claim 1 for reliable data read out from at least one information layer.